

UNITED STATES DISTRICT COURT

for the

~~Helena~~ District of Montana

Helena, Division

Case No. CV 25-02-H-DLC

MIKE ADAMS

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Dr. Rees, Mr. Knudsen, MSP Infirmary

Transportation Dept. Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

AMENDED COMPLAINT FOR VIOLATION OF  
CIVIL RIGHTS (Prisoner Complaint)

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

Name	<u>Mike Adams</u>
All other names by which you have been known:	<u>N/A</u>
ID Number	<u>3022226</u>
Current Institution	<u>Montana State Prison</u>
Address	<u>700 Conley Lake Road</u>
	<u>Deer Lodge, MT</u> <u>MT.</u> <u>59722</u>
	<u>City</u> <u>State</u> <u>Zip Code</u>

Name	Dr. Paul Rees		
Job or Title (if known)	Doctor at Prison		
Shield Number	N/A		
Employer	Montana State Prison Infirmary		
Address	400 Conley Lake Road		
	Deer Lodge,	MT.	59722
	City	State	Zip Code

Name	<u>Mr. Knudsen</u>		
Job or Title (if known)	<u>Driver C.O. for the Infirmary</u>		
Shield Number	<u>N/A</u>		
Employer	<u>Transportation MSP Prison</u>		
Address	<u>400 Conley Lake Road</u>		
	<u>Deer Lodge,</u>	<u>MT.</u>	<u>59722</u>
	<i>City</i>	<i>State</i>	<i>Zip Code</i>

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## Defendant No. 3

Name Sgt Renee Groyer

Job or Title *(if known)* Department head of Transportation

Shield Number N/A

Employer Montana State Prison

Address 400 Conley Lake Road

Deer Lodge, MT. 59722

*City State Zip Code*

☒ Individual capacity ☐ Official capacity

## Defendant No. 4

Name James Salmonsén

Job or Title (if known) Warden

Shield Number N/A

Employer State of Montana

Address 5 South Last Chance Gulch

Helena MT. 59601

*City State Zip Code*

☒ Individual capacity ☐ Official capacity

## II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):

- ☐ Federal officials (a *Bivens* claim)
- ☒ State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

Medical Attention / Medical Malpractice/ Transportation safety

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

N/A not Bivens or Federal:

- D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.
- § 45-5-204 Inmate Safety during and before transporting or placing contaminated leg irons on inmate before cleaning the disease infected chains on inmate Adams legs. and placed them too tight to rub leg raw.
- 

### III. Prisoner Status

Indicate whether you are a prisoner or other confined person as follows (check all that apply):

- ☐ Pretrial detainee
- ☐ Civilly committed detainee
- ☐ Immigration detainee
- ☒ Convicted and sentenced state prisoner
- ☐ Convicted and sentenced federal prisoner
- ☐ Other (explain) \_\_\_\_\_

### IV. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. If the events giving rise to your claim arose outside an institution, describe where and when they arose.
- In the Prison before transportation procedure began.
- 

- B. If the events giving rise to your claim arose in an institution, describe where and when they arose.
- Transportation department at the prison dated 2024
-

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C. What date and approximate time did the events giving rise to your claim(s) occur?

Here ↑ make 7-27-2024

D. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)

V. Injuries

They put Legs Iron on me and my Right Leg got infection on the outer part of The Leg. Now it in fection on the Inner Part. Now Leak Pus out My Leg

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

None The pills they gave me aint working They keep Sending Me Back to the Unit. And at the start of The Infection they took Ultra sound of the Leg also. I walk with a Lamp <sup>Now</sup> when I was walking here good before all things happen to me

VI. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

monetary Relief continued medical care. money 2-9-108, 750,000.00  
plus 300,000.00

**VII. Exhaustion of Administrative Remedies Administrative Procedures**

The Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted."

Administrative remedies are also known as grievance procedures. Your case may be dismissed if you have not exhausted your administrative remedies.

*you* A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

☒ Yes

☐ No

If yes, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s).

Montana state prison in Deer Lodge Mt

*you* B. Does the jail, prison, or other correctional facility where your claim(s) arose have a grievance procedure?

☒ Yes

☐ No

☐ Do not know

C. Does the grievance procedure at the jail, prison, or other correctional facility where your claim(s) arose cover some or all of your claims?

☒ Yes

☐ No

☐ Do not know

If yes, which claim(s)?

medical  
*medical,*

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D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose concerning the facts relating to this complaint?

☒ Yes

☐ No

If no, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

☐ Yes

☒ No

E. If you did file a grievance:

1. Where did you file the grievance?

m.s.p. D-unit

you? 2. What did you claim in your grievance?  
That The officer put Leg Iron on me to take me in town and when came back My Right Leg got Infection, and also Leg Iron where Not Clean and they said they clean them

you? 3. What was the result, if any? They said the Leg Iron where clean And they where Not

you? 4. What steps, if any, did you take to appeal that decision? Is the grievance process completed? If not, explain why not. (Describe all efforts to appeal to the highest level of the grievance process.)  
 yes or NO

yes or NO

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F. If you did not file a grievance:

1. If there are any reasons why you did not file a grievance, state them here:

I File and Exhausted

2. If you did not file a grievance but you did inform officials of your claim, state who you informed, when and how, and their response, if any:

I Filed an Exhausted Proceedure

G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies.

Not at this Time

(Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.)

#### VIII. Previous Lawsuits

The "three strikes rule" bars a prisoner from bringing a civil action or an appeal in federal court without paying the filing fee if that prisoner has "on three or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury." 28 U.S.C. § 1915(g).

To the best of your knowledge, have you had a case dismissed based on this "three strikes rule"?

☐ Yes

☒ No

If yes, state which court dismissed your case, when this occurred, and attach a copy of the order if possible.

N/A



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A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action?

☐ Yes

☒ No

B. If your answer to A is yes, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)

1. Parties to the previous lawsuit

Plaintiff(s)

Defendant(s)

N/A

2. Court (if federal court, name the district; if state court, name the county and State)

N/A

3. Docket or index number

N/A

4. Name of Judge assigned to your case

N/A

5. Approximate date of filing lawsuit

N/A

6. Is the case still pending?

☐ Yes

☐ No

N/A

If no, give the approximate date of disposition.

N/A

7. What was the result of the case? (For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)

N/A

C. Have you filed other lawsuits in state or federal court otherwise relating to the conditions of your imprisonment?

N/A

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☐ Yes

☒ No

D. If your answer to C is yes, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)

1. Parties to the previous lawsuit

Plaintiff(s)

Defendant(s)

N/A

2. Court (if federal court, name the district; if state court, name the county and State)

N/A

3. Docket or index number

N/A

4. Name of Judge assigned to your case

N/A

5. Approximate date of filing lawsuit

N/A

6. Is the case still pending?

☐ Yes

☐ No

N/A

If no, give the approximate date of disposition

N/A

7. What was the result of the case? (For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)

N/A

**IX. Certification and Closing**

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

**A. For Parties Without an Attorney**

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing:

X Mike Adams  
Mike Adams

Signature of Plaintiff

X Michael Adams

Printed Name of Plaintiff

X Mike Paul Adams

Prison Identification #

302226

Prison Address

1400 Conley Lake Road

Deer Lodge  
City

MT  
State

59722  
Zip Code

**B. For Attorneys**

Date of signing:

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

City

State

Zip Code

Telephone Number

E-mail Address